IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION (ST.) NO.14766 OF 2006
IN
FIRST APPEAL NO.2074 OF 2005

Geetanjali S. Malhotra ..Petitioner.
Vs.
Sukhvinder R. Malhotra ..Respondent.

....

Mr. M.M. Chopra for the Petitioner.
Mr. R.S. Datar for the Respondent.

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CORAM: DR. D.Y. CHANDRACHUD, J.

16th August, 2006.

P.C. :

Upon the delay being condoned, the Review Petition is by consent taken up on Board and called out for hearing. Counsel appearing for the Petitioner undertakes to get the Review Petition numbered during the course of the day.

The statement in paragraph 4 of the order of this Court dated 15th December, 2005 to the effect that the Petitioner herein (who was the Respondent in the First Appeal) was working in a Call Centre and was stated to be regular at her work place for seven months was based ex facie on the report of the panel of

Doctors from the Department of Psychiatry of Sir. J. J. Group of Hospitals. Moreover, when the First Appeal came up before this Court it was in fact the case of the Petitioner that she was gainfully employed. No ground for review has been made out. However, it is clarified that the appropriate Court which is dealing with the application for the grant of maintenance shall independently consider the financial position and capacity of the Review Petitioner on its own merits based on such material as would be produced before the Court by the parties. The Review Petition is dismissed.